

(4580)

DIVORCE DECREE

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

ANNIE BELL STEWART

Complainant

vs.

JOE E. STEWART

Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso on Answer and Waiver and Testimony as noted by the Register, and upon consideration thereof, the Court is of the opinion that the Complainant is entitled to the relief prayed for in said bill.

It is therefore ordered, adjudged and decreed by the Court that the bonds of matrimony heretofore existing between the Complainant and Defendant be, and the same are hereby dissolved, and that the said ANNIE BELL STEWART is forever divorced from the said JOE E. STEWART for and on account of ABANDONMENT

It is futher ordered, adjudged and decreed that neither party to this suit shall again marry except to each other until sixty days after the rendition of this decree, and that if appeal is taken within sixty days, neither party shall again marry except to each other during the pendency of said appeal.

It is futher ordered that the Complainant and Respondent be, and they are hereby permitted to again contract marriage upon payment of the cost of this suit.

It is futher ordered that ANNIE BELL STEWART the COMPLAINANT pay the cost herein to be taxed, for which executed may issue.

This 23 day of MAY 19 59

[Signature] Judge Circuit Court, In Equity.

I, _____, Register of the Circuit Court of Baldwin County, Alabama, do hereby certify that the foregoing is a correct copy of the original decree, rendered by the Judge of the Circuit Court in the above stated cause, which said decree is on file and enrolled in my office.

Witness my hand and seal this the _____ day of _____, 19____

Register of Circuit Court, In Equity.

No. _____ Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

In Circuit Court, In Equity

Complainant

vs.

Respondent

DIVORCE DECREE

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA
Baldwin County

Circuit Court

TO: Marie W. Vines

KNOW YE: That we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, as such time and place as you may appoint, to call before you and examine Annie Bell Stewart and Velta Smith

a witness in behalf of Annie Bell Stewart in a cause pending in our
Circuit Court in Baldwin County, of said State, wherein

and Annie Bell Stewart , Complainant
Joe E. Stewart

Respondent

on oath, to be by you administered, upon them
to take and certify the deposition of the witness and return the same to our Court, with all convenient speed, under your hand.

Witness 22 day of May

, 195 9

Alice J. Luck
Register.

Commissioner's Fee, \$

Witness' Fees, \$

No.

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

VS.

Complainant

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

WITNESSES:

FILED

MAY 23 1959

ALICE J. DUCK, Register

THE STATE OF ALABAMA,
BALDWIN COUNTY

Circuit Court of Baldwin County, Alabama
(In Equity)

Annie Bell Stewart COMPLAINANT

vs.

Joe E. Stewart RESPONDENT

I, Marie W. Vines

as Register and Commissioner in said cause

have called and caused to come before me Annie Bell Stewart and Velta Smith

witness es named in the requirement for Oral Examination, on the 22 day of May
1959, at the office of C/ LeNoir Thompson, Attorney

in Bay Minette, Alabama, and having first sworn said witness es to speak the
truth, the whole truth, and nothing but the truth, the said Witnesses

doth depose and say as follows: My name is
Annie Bell Stewart. I am over the age of twenty one years, and have
been a resident of Baldwin County, Ala., more than two years next pre-
ceding. The respondent is also over the age of 21 years, and is
a resident of Alabama. We were married in Bay Minette on May 31,
1931, and lived together in Alabama as husband and wife until on or
about March 25, 1958, when the respondent abandoned your complainant
without fault on her part, and we have never lived together as husband
and wife, since that date, and I do not believe we shall ever live
together as such again. The children born of this marriage are grown
and we have no property to be divided.

Annie Bell Stewart

My name is Velta Smith.

I know both parties to this cause. They are both over the age of twenty
one years, and have been residents of Baldwin County, Alabama more than
two years next preceding. They were married in Bay Minette on
may 31, 1931 and lived together as husband and wife in Alabama
until on or about March 25, 1958, at which time the respondent
abandoned the complainant without fault on her part. They have
not lived together since that date. I do not believe they will
ever live together again.

Velta Smith

I, Marie W. Vines as Register and Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down in writing by me in the words of the witness es and read over to them and they signed the same in the presence of myself and C. LeNoir Thompson at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness es or had proof made before me of the identity of said witness _____; that I am not of counsel or of kin to any of the parties to said cause, or any manner interested in the result thereof.

I enclose the said Oral Examination in an envelope to the Register of said court.

Given under my hand and seal, this 22 day of may, 1959.

Marie W. Vines (L. S.)

No. _____ Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

Amie Colle Stewart
COMPLAINANT

vs.

Joe E. Stewart
RESPONDENT

ORAL DEPOSITION

FILED
MAY 23 1959

Amie J. Duick Register
RECORDED IN _____

Record _____

Vol. _____ Page _____
Register _____

ANNIE BELL STEWART

vs.

JOE E. STEWART

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

This cause is submitted in behalf of Complaint upon the original Bill of Complaint,
ORAL TESTIMONY of Annie Bell Stewart and Velta Smith

and in behalf of Defendant upon ANSWER AND WAIVER

C. Letitia Thompson

Alice J. Luck
Register.

No. -----

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

Annie Belle Stewart

VS.

Joe E. Stewart

Note of Testimony

Filed in Open Court this 23-----

day of May-----, 1959

Alice J. Duck
Register.

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons JOE E. STEWART, to appear and plead, answer or demur within thirty days from the service hereof, to the bill of complaint filed in the Circuit Court of Baldwin County, Alabama, in Equity, by ANNIE BELLE STEWART, as Complainant and against JOE E. STEWART, as respondent.

WITNESS my hand this the 18 day of May, 1959.

Alice J. Duck
Register.

ANNIE BELLE STEWART
COMPLAINANT

* IN THE CIRCUIT COURT OF
* BALDWIN COUNTY, ALABAMA.

VS

* IN EQUITY.

JOE E. STEWART
RESPONDENT

* CASE NO. 4580
*

TO HONORABLE HUBERT M. HALL, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA:

Your Complainant, Annie Belle Stewart, respectfully represents unto Your Honor and this Honorable Court as follows:

1.

That your Complainant is over the age of 21 and a resident of Baldwin County, Alabama; and has been more than two years next preceding; The respondent is over the age of 21 and a resident of Baldwin County, Alabama, and has been more than two years next preceding.

2.

That your Complainant and the Respondent married at Bay Minette, Alabama on May 31, 1931, and lived together as husband and wife in Baldwin County, Alabama until March 25, 1958.

3.

That on to-wit, March 25, 1958, while your Complainant and the Respondent were living together as husband and wife, the respondent voluntarily abandoned the bed and board of your complainant and has remained away voluntarily and continuously since that time.

4.

The child born as fruits of this marriage is grown and married, and thereis no property to be divided.

WHEREFORE, the premises considered, your complainant prays that your Honor will by proper procedure make the said JOE E. STEWART, party respondent to this bill of complaint requiring him to plead, answer or demur to the same within the time and under the penalties prescribed by law and the practice of this Honorable Court.

Your Complainant further prays that upon a hearing hereof, your Honor will enter an order and decree granting to her an absolute decree of divorce, forever barring the bonds of matrimony existing between her and the respondent; Your Complainant prays for such other, further, different or general relief as she may be in equity and good conscience entitled to receive.

[Handwritten Signature]
Solicitor for Complainant.

FILED

MAY 18 1959

ALICE J. DUCK, CLERK
REGISTER

Forwarded May 21, 1959

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ANNIE BELLE STEWART
COMPLAINANT
VS
JOE E. STEWART
RESPONDENT

* IN THE CIRCUIT COURT OF
* BALDWIN COUNTY, ALABAMA.
* IN EQUITY.
* CASE NO.) _____
*

Now comes the Respondent and accepted service of the summons and complaint in this cause.

The Respondent admits the allegations as to the ages, marriage and residence, but denies all other allegations contained in the bill of complaint, and demands strict proof of the same.

The respondent waives notice of the time of taking of testimony on behalf of the complainant, the right to cross-examine complainant's witnesses; and agrees that this cause be submitted for final decree without further notice.

Joe E. Stewart

STATE OF ALABAMA
BALDWIN COUNTY

I, C. D. Davis Thompson, a Notary Public, in and for said County, in said State, hereby certify that Joe E. Stewart, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that being informed of the contents of the instrument he executed the same voluntarily on the day the same bears date.

Given under my hand and seal on this the 25 day of May, 1959.

filed
May 23, 1959
Alice J. Duck,
Reg.

C. D. Davis Thompson
Notary Public, Baldwin County, Alabama.